

REMARKS

In the Office Action, claims 1-9, 11-12, 29-30, 32-33 and 35-36 have been rejected under 35 U.S.C. § 102(b) as being anticipated by McBrayer, Jr. et al. (U.S. Patent No. 5,552,039). Further, claims 10, 31 and 34 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over McBrayer, Jr., et al. in view of Hervert et al. (U.S. Patent No. 3,472,632).

In response, Applicant has canceled claims 1-12 and 29-36. Further, Applicant has added new claims 37-56. As entered, each new claim requires a method in which a heat transfer fluid is pumped through the porous layer of a vessel liner to control the temperature of the non-porous layer of the vessel liner. Support for these amendments is found in the specification beginning on page 6, lines 15 through 17; from page 9, at line 8, to page 19 at line 19, and from page 23 at line 1 to page 24 at line 10.

New claims 37-56 have been presented herein to improve the readability of the claims and to point out the features that distinguish the present invention over the cited art. Also, these amended claims more clearly define the method of the present invention. Claims 37-56 are now pending.

Rejections under 35 U.S.C. §§ 102(b) and 103(a)

In the Office Action, claims 1-9, 11-12, 29-30, 32-33 and 35-36 have been rejected under 35 U.S.C. § 102(b) as being anticipated by McBrayer, Jr. et al. (U.S. Patent No. 5,552,039). Further, claims 10, 31 and 34 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over McBrayer, Jr., et al. in view of Hervert et al. (U.S. Patent No. 3,472,632).

In response, claims 1-12 and 29-36 have been canceled and new claims 37-56 have been entered. The cited references fail to disclose or suggest the method required by the newly entered claims.

Specifically, each of claims 37-56 substantially requires the step of pumping a heat transfer fluid through the porous layer of a vessel liner to transfer heat to or from the non-porous layer of the liner.

Unlike the present invention, the cited references fail to provide for the passage of a heat transfer fluid through the porous layer to transfer heat to or from the non-porous layer.


For the reasons provided above, Applicant asserts that the basis for rejecting claims 1-12 and 29-36 have been overcome by amendment. Further, Applicant asserts that claims 37-56 are novel and nonobvious in view of the cited references.

In conclusion, Applicant respectfully asserts that claims 37-56 are patentable for the reasons set forth above, and that the application is now in a condition for allowance.

Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 619-688-1300 for any reason that would advance the instant application to issue.

Dated this 18 day of October, 2006.

Respectfully submitted,


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